IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
WRIT PETITION No. 1382 (SS) of 2004

Kedar Singh Rawat, VSM,
S/o Shri Mohan Singh Rawat,
R/o Village Thirpak, Patwari Circle Mangroli,
Tehsil – Karnaprayag, District Chamoli. .....Petitioner.

Versus

1. Union of India, through Secretary, Ministry of Defence, New Delhi.
2. Chief of Naval Staff, Naval Headqarters, New Delhi.
3. The Commodore, Staff Officer (Pension), Bureau of Sailors, Cheetah Camp, Mumbai-88. .....Respondents.

Mr. R.P. Nautiyal, Advocate for the petitioner,
Learned Standing Counsel for the respondents.

Dated: 23.03.2006

Hon'ble Rajesh Tandon, J.

By the present writ petition, the petitioner has prayed for a writ of mandamus commanding the respondent authorities to grant regular pension to the petitioner w.e.f. the date, when he was discharged from the service of Indian Fleet Reserve Services.

2. Briefly, stated, according to the case of the petitioner, the petitioner was appointed as Boy on 29.03.1955 in Indian Navy by the competent authority and he was promoted to the rank of A.B.G.I., III on 23.11.1959. The petitioner was discharged from his service by the department on 27.07.1966. A certificate was also issued to the petitioner to this effect by the respondent no. 3 on 28.05.2002.

3. Against the dismissal order, an appeal was preferred by the petitioner on 17.02.2003 (Annexure No. 5 to the writ petition) before the respondent no.2.

4. Grievance of the petitioner is that the departmental appeal filed by the petitioner on 17.02.2003 for the grant of regular pension w.e.f. the date, when he was discharged from the service of Indian Fleet Reserve Services has not yet been disposed of.

5. In view of the above, the respondent no. 2 is directed to decide the departmental appeal (Annexure No. 5 to the writ petition) within a period of three months from the date of presentation of the certified copy of the order.

6. Writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

23.03.2006
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